



04-14-05

RCE
1659
ZWW

Express Mail Label No. EV186782653US

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-----------------------|
| Application Number | 08/847,967 |
| Filing Date | 4/22/97 |
| First Named Inventor | Isy Goldwasser et al. |
| Group Art Unit | 1639 |
| Examiner Name | Epperson, Jon D. |
| Attorney Docket Number | 97-2RCE4 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- Other Consider the references submitted in IDS filed on March 21, 2005

b. Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Other Communication Under 37 CFR 1.114

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0496

- RCE fee required under 37 C.F.R. § 1.17(e) 04/15/2005 AWONDAF1 00000087 500496 08847967
- Extension of time fee (37.C.F.R. §§ 1.136 and 1.17) 01 FC:2801 395.00 DA
- Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

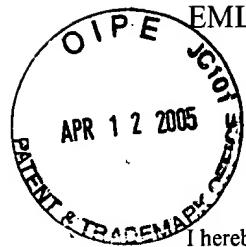
| | | | |
|-------------------|---------------|-----------------------------------|---------------|
| Name (Print/Type) | Paul A. Stone | Registration No. (Attorney/Agent) | 38,628 |
| Signature | | Date | Apr. 12, 2005 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service by Express Mail (EV186632398US) in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 to the U.S. Patent and Trademark Office on:

| | |
|-------------------|-----------------|
| Name (Print/Type) | Suzanne Shadley |
| Signature | |
| Date | 4-12-05 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



EMLN: EV186782653US

Docket No. 97-2RCE
PATENT

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 addressed to: Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 4-12-05.

By: Suzanne Shadley

Suzanne Shadley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Goldwasser et al.

Confirmation No.: 2173

Serial No.: 08/847,967

Group Art Unit: 1639

Filed: 4/22/97

Examiner: Epperson, Jon D.

For: The Combinatorial Synthesis of Novel Materials

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION
SUBMITTED WITH REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. §1.114

Dear Sir:

This Communication is being submitted together with a Request for Continued Examination in connection with the above-identified patent application. Please consider the following remarks in connection therewith.

The Request for Continued Examination submitted herewith is being filed to provide an opportunity for the Examiner to consider a reference listed on an Information Disclosure Statement filed March 25, 2005 (having been sent to the U.S. Patent and Trademark Office on March 21, 2005 via First Class Mail).

This Information Disclosure Statement was sent before the undersigned attorney was aware that the Office had sent a Notice of Allowance dated March 9, 2005 to Applicants' outside counsel. As such, the aforementioned Information Disclosure Statement was sent after the Notice of Allowance and therefore, apparently may not have been considered by the Office.

This March 25, 2005 Information Disclosure Statement is the document upon which the instant Request for Continued Examination is based. Since, however, the Information Disclosure Statement is already of record in this application, Applicants are not submitting herewith a further copy of the Information Disclosure Statement.

The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to deposit account number 50-0496.

Respectfully submitted,



Paul A. Stone
Reg. No. 38,628
Attorney for Applicant(s)

Date: Apr. 12, 2005
Symyx Technologies
3100 Central Expressway
Santa Clara, California 95051
Tel.: (408) 773-4027 Fax: (408) 773-4029